

26 September 2016

Ms P A Hamill
Email to: fyi-request-4330-bfef770b@requests.fyi.org.nz

Dear Ms Hamill

Official Information Act request

Thank you for your request of 27 August 2016 asking for the following information under the Official Information Act 1982 (the Act):

I would like to ask a couple of more specific questions re the original case de Marco v Accident Compensation Corporation [2015] NZACC 99 (30 April 2015).

- 1. Was there any fraud carried out by the ACC in this person's claim at anytime that resulted in the claimant being exited or having ERC payments suspended?*
- 2. Was there an admittance of malfeasance by ACC other than the VIMA not being carried out correctly?*
- 3. Was there ever an issue with ACC stealing or creating a new identity for this claimant by way of a new IRD number being put in the claimants file and or also payments being made by ACC to the new identity?*
- 4. Has ACC ever made an admittance of financial impropriety other than the VIMA was not carried out correctly and ERC payments stopped because of it?*
- 5. By way of preliminary issue, Mr Beck and Mr McBride agreed that all annotations on documents made by Ms de Marco should be removed from the evidence as filed. Counsel agreed that documents in the bundle for hearing would be replaced with an agreed bundle – Volume 2 Was there more than just one annotation by Ms De Marco on the documents supplied to the court that lead to Volume 2 being compiled?*

ACC's response

Questions 1 and 2 – ACC's response to you dated 25 August covers these questions.

Questions 3, 4 and 5 – These questions relate to information about a claim. ACC does not release such information to third parties as there is a need to protect the privacy of individuals. This is ACC's standard practice to limit the potential for particular individuals or matters specific to certain individuals to be identified.

Withholding in this way is necessary to protect the privacy of specific individuals under section 9(2)(a) of the Act. In doing so, we have considered the public interest in making the information available and have determined that it does not outweigh the need to protect the privacy of natural persons.

Questions and queries

If you have any questions about this response, ACC will be happy to work with you to answer these. You can contact us at GovernmentServices@acc.co.nz or by writing to *Government Services, ACC Corporate Office, PO Box 242, Wellington 6140.*

You have the right to complain to the Office of the Ombudsman about our decision. You can call them on 0800 802 602 between 9am and 5pm on weekdays, or by writing to *The Office of the Ombudsman, PO Box 10152, Wellington 6143*.

Yours sincerely

Government Services